

NEIGHBORHOOD PLAN AMENDMENT REVIEW SHEET

NEIGHORHOOD PLAN: North Loop

CASE#: NPA-2021-0011.02

DATE FILED: September 20, 2021

PROJECT NAME: Amaya Building Project

PC DATE: November 17, 2021

ADDRESS/ES: 5804 North IH 35 SVRD SB

DISTRICT AREA:

SITE AREA: 1.185 acres

OWNER/APPLICANT: Roberto Amaya (aka R. Felix, Inc.)

AGENT: Moreno Development Services (Candelario Moreno)

CASE MANAGER: Maureen Meredith

PHONE: (512) 974-2695

STAFF EMAIL: Maureen.Meredith@austintexsa.gov

TYPE OF AMENDMENT:

Change in Future Land Use Designation

From: Commercial

To: Mixed Use

Base District Zoning Change

Related Zoning Case: C14-2021-0162

From: CS-CO-NP

To: CS-CO-MU-NP

NEIGHBORHOOD PLAN ADOPTION DATE: May, 23, 2002

CITY COUNCIL DATE:

ACTION:

December 9, 2021

PLANNING COMMISSION RECOMMENDATION:

November 17, 2021 -

STAFF RECOMMENDATION: Staff supports the applicant’s request for Mixed Use land use.

BASIS FOR STAFF’S RECOMMENDATION: The property is located along the service road of North Interstate Highway 35 SB. Mixed Use land use is appropriate in this location. The proposed development will include a restaurant, retail uses and residential units.

Below are sections of the North Loop Neighborhood Plan that supports the request.

Land Use Goals

Goal 1: Encourage compact and human-scale land use.

Objective 1.1: Create a vibrant, mixed use neighborhood that includes mixed use buildings with residential and office space above ground floor retail.

Objective 1.2: Promote commercial and residential infill that supports and enhances the character of the neighborhood.⁶

Goal 2: Encourage housing for a variety of income levels.

Objective 2.1: Provide additional opportunities for housing choice through secondary apartments, mixed use, and small scale multi-family.

Objective 2.2: Encourage and provide opportunities for SMART Housing in the neighborhood.

Goal 4: Encourage development of a diversity of neighborhood-oriented businesses.

Objective 4.1: Promote zoning that allows the development of small scale, neighborhood oriented businesses.

Objective 4.2: Encourage a balanced and diverse mix of independently owned, neighborhood businesses including green grocer, restaurants, coffee shops, bakery, pub, hardware store.

LAND USE DESCRIPTIONS

EXISTING LAND USE ON THE PROPERTY

Commercial -Lots or parcels containing retail sales, services, hotel/motels and all recreational services that are predominantly privately owned and operated for profit (for example, theaters and bowling alleys). Included are private institutional uses (convalescent

homes and rest homes in which medical or surgical services are not a main function of the institution), but not hospitals.

Purpose

1. Encourage employment centers, commercial activities, and other non- residential development to locate along major thoroughfares; and
2. Reserve limited areas for intense, auto-oriented commercial uses that are generally not compatible with residential or mixed use environments.

Application

1. Focus the highest intensity commercial and industrial activities along freeways and major highways; and
2. Should be used in areas with good transportation access such as frontage roads and arterial roadways, which are generally not suitable for residential development.

PROPOSED LAND USE ON THE PROPERTY

Mixed Use - An area that is appropriate for a mix of residential and non-residential uses.

Purpose

1. Encourage more retail and commercial services within walking distance of residents;
2. Allow live-work/flex space on existing commercially zoned land in the neighborhood;
3. Allow a mixture of complementary land use types, which may include housing, retail, offices, commercial services, and civic uses (with the exception of government offices) to encourage linking of trips;
4. Create viable development opportunities for underused center city sites;
5. Encourage the transition from non-residential to residential uses;
6. Provide flexibility in land use standards to anticipate changes in the marketplace;
7. Create additional opportunities for the development of residential uses and affordable housing; and
8. Provide on-street activity in commercial areas after 5 p.m. and built-in customers for local businesses.

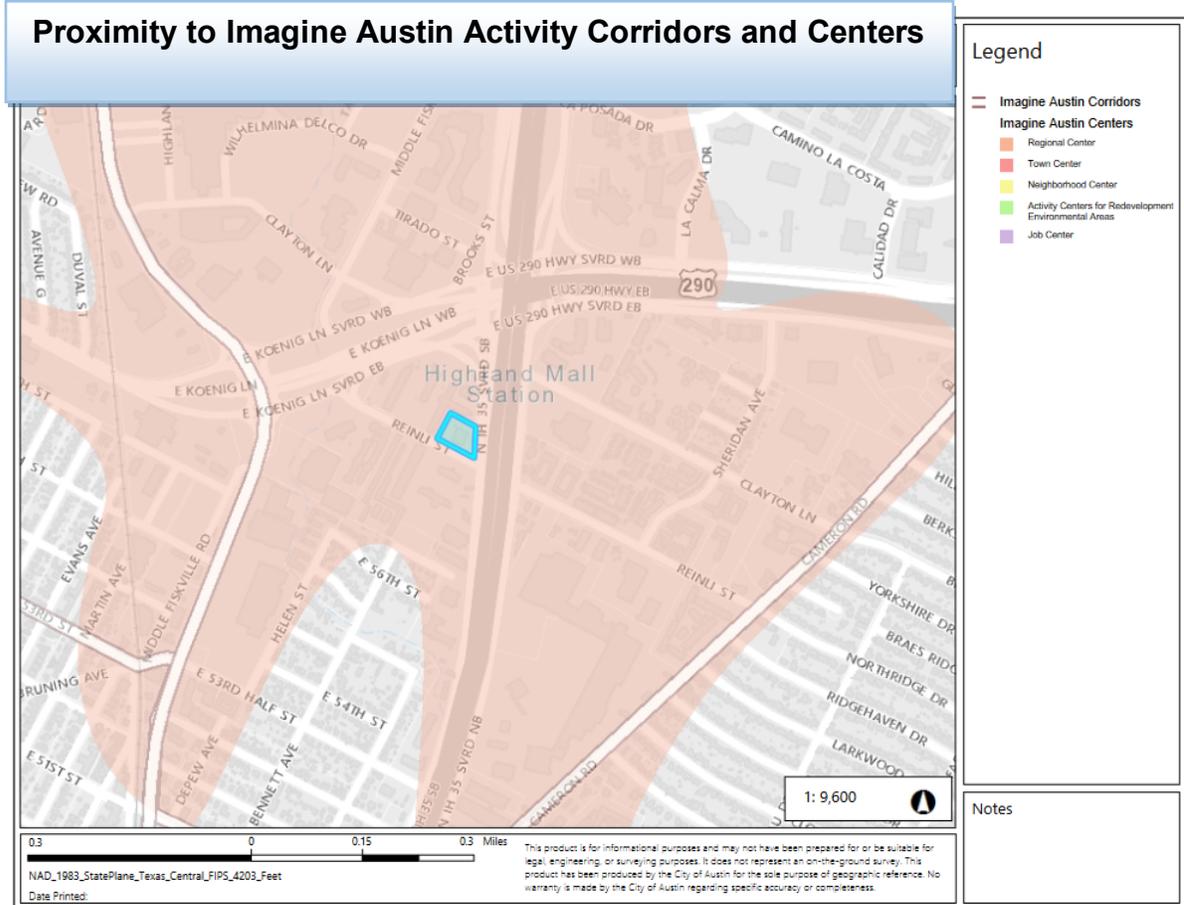
Application

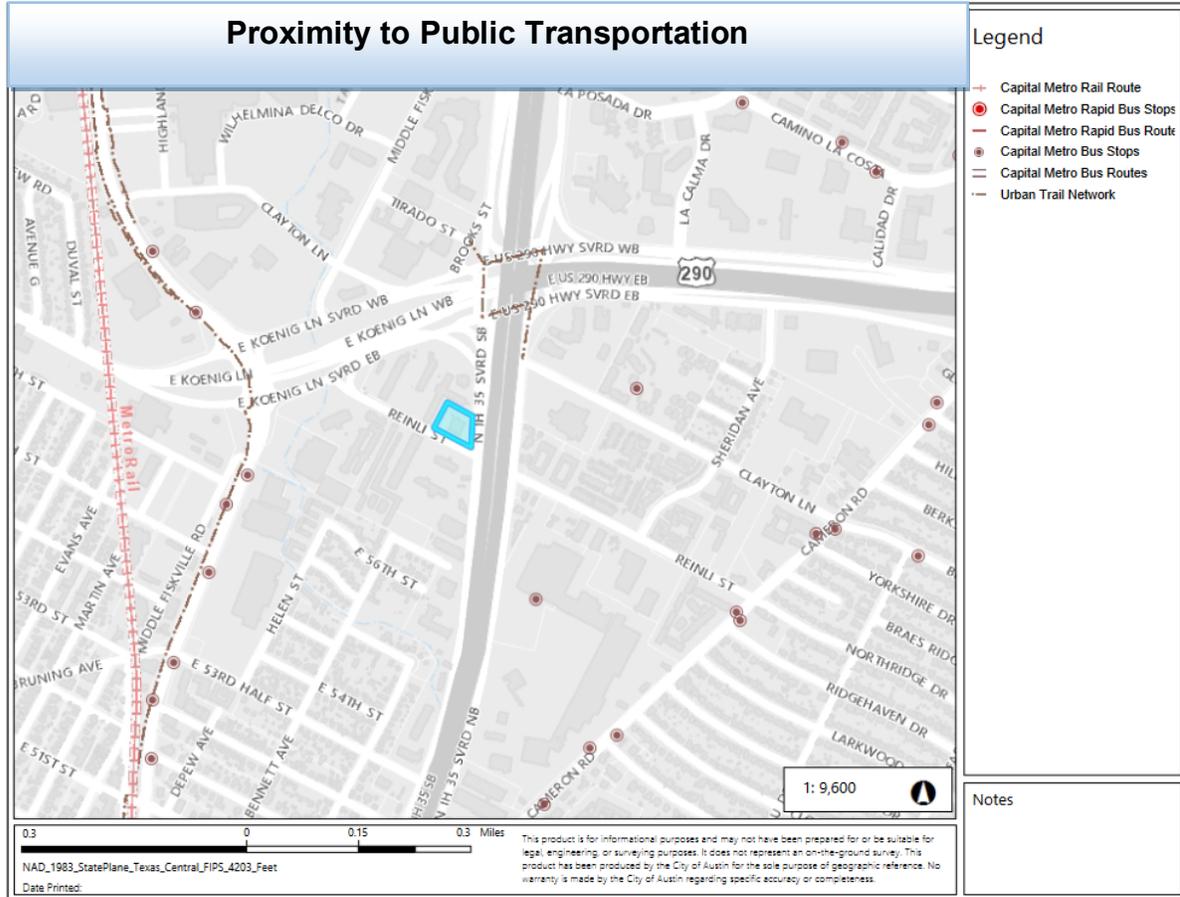
1. Allow mixed use development along major corridors and intersections;
2. Establish compatible mixed-use corridors along the neighborhood's edge
3. The neighborhood plan may further specify either the desired intensity of commercial uses (i.e. LR, GR, CS) or specific types of mixed use (i.e. Neighborhood Mixed Use Building, Neighborhood Urban Center, Mixed Use Combining District);
4. Mixed Use is generally not compatible with industrial development, however it may be combined with these uses to encourage an area to transition to a more complementary mix of development types;
5. The Mixed Use (MU) Combining District should be applied to existing residential uses to avoid creating or maintaining a non-conforming use; and
6. Apply to areas where vertical mixed use development is encouraged such as Core Transit Corridors (CTC) and Future Core Transit Corridors.

IMAGINE AUSTIN PLANNING PRINCIPLES

1. Create complete neighborhoods across Austin that provide a mix of housing types to suit a variety of household needs and incomes, offer a variety of transportation options, and have easy access to daily needs such as schools, retail, employment, community services, and parks and other recreation options.
 - ***The proposed mixed-use development will include residential units that will provide more housing units for the City. The property is near public transportation and located along a busy commercial corridor.***
2. Support the development of compact and connected activity centers and corridors that are well-served by public transit and designed to promote walking and bicycling as a way of reducing household expenditures for housing and transportation.
 - ***The property is in the Highland Mall Station Activity Center where mixed use developments are appropriate. There is public transportation in the vicinity and numerous businesses within walking and biking distance.***
3. Protect neighborhood character by ensuring context-sensitive development and directing more intensive development to activity centers and corridors, redevelopment, and infill sites.
 - ***The property is within the Highland Mall Station Activity Center and along an interstate highway where intense developments are appropriate.***
4. Expand the number and variety of housing choices throughout Austin to meet the financial and lifestyle needs of our diverse population.

- *The proposed mixed-use development with 80 proposed residential units will expand the number and variety of housing choices to Austin.*
5. Ensure harmonious transitions between adjacent land uses and development intensities.
 - *The property is in a large commercial node southwest of North IH-25 and East U.S. 290 Hwy. Mixed Use land use is appropriate here.*
 6. Protect Austin’s natural resources and environmental systems by limiting land use and transportation development over environmentally sensitive areas and preserve open space and protect the function of the resource.
 - *The property is in the Desired Development Zone.*
 7. Integrate and expand green infrastructure—preserves and parks, community gardens, trails, stream corridors, green streets, greenways, and the trails system—into the urban environment and transportation network.
 - *The property does not near public parks.*
 8. Protect, preserve and promote historically and culturally significant areas.
 - *To staff’s knowledge there is no historic or cultural significance to this property.*
 9. Encourage active and healthy lifestyles by promoting walking and biking, healthy food choices, access to affordable healthcare, and to recreational opportunities.
 - *The property is located along a busy corridor within walking and biking distance to numerous services.*
 10. Expand the economic base, create job opportunities, and promote education to support a strong and adaptable workforce.
 - *The proposed mixed-use development could provide a limited number of new jobs.*
 11. Sustain and grow Austin’s live music, festivals, theater, film, digital media, and new creative art forms.
 - *Not directly applicable, but the proposed mixed-use development could provide patrons to Austin’s various art forums*
 12. Provide public facilities and services that reduce greenhouse gas emissions, decrease water and energy usage, increase waste diversion, ensure the health and safety of the public, and support compact, connected, and complete communities.
 - *Not applicable.*





5804 North Interstate 35 Frontage Road

North Loop, Austin, 78751

Commute to **Downtown Austin** 

 13 min  44 min  27 min  60+ min [View Routes](#)

[Favorite](#) [Map](#) [Nearby Apartments](#)

[Looking for a home for sale in Austin?](#) 

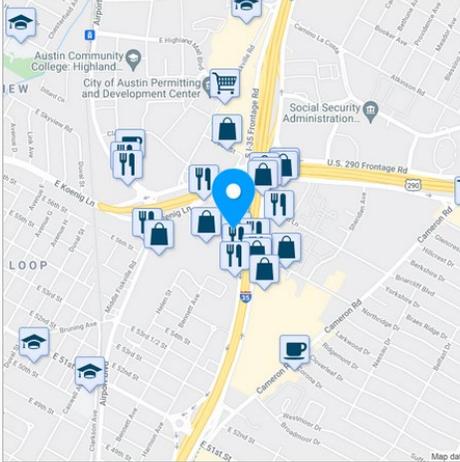
Walk Score
72
Very Walkable
Most errands can be accomplished on foot.

Transit Score
47
Some Transit
A few nearby public transportation options.

Bike Score
69
Bikeable
Some bike infrastructure.

[About your score](#)

[Add scores to your site](#)



IMAGINE AUSTIN GROWTH CONCEPT MAP

Definitions

Neighborhood Centers - The smallest and least intense of the three mixed-use centers are neighborhood centers. As with the regional and town centers, neighborhood centers are walkable, bikable, and supported by transit. The greatest density of people and activities in neighborhood centers will likely be concentrated on several blocks or around one or two intersections. However, depending on localized conditions, different neighborhood centers can be very different places. If a neighborhood center is designated on an existing commercial area, such as a shopping center or mall, it could represent redevelopment or the addition of housing. A new neighborhood center may be focused on a dense, mixed-use core surrounded by a mix of housing. In other instances, new or redevelopment may occur incrementally and concentrate people and activities along several blocks or around one or two intersections. Neighborhood centers will be more locally focused than either a regional or a town center. Businesses and services—grocery and department stores, doctors and dentists, shops, branch libraries, dry cleaners, hair salons, schools, restaurants, and other small and local businesses—will generally serve the center and surrounding neighborhoods.

Town Centers - Although less intense than regional centers, town centers are also where many people will live and work. Town centers will have large and small employers, although fewer than in regional centers. These employers will have regional customer and employee bases, and provide goods and services for the center as well as the surrounding areas. The buildings found in a town center will range in size from one-to three-story houses, duplexes, townhouses, and rowhouses, to low-to midrise apartments, mixed use buildings, and office buildings. These centers will also be important hubs in the transit system.

Job Centers - Job centers accommodate those businesses not well-suited for residential or environmentally- sensitive areas. These centers take advantage of existing transportation infrastructure such as arterial roadways, freeways, or the Austin-Bergstrom International airport. Job centers will mostly contain office parks, manufacturing, warehouses, logistics, and other businesses with similar demands and operating characteristics. They should nevertheless become more pedestrian and bicycle friendly, in part by better accommodating services for the people who work in those centers. While many of these centers are currently best served by car, the growth Concept map offers transportation choices such as light rail and bus rapid transit to increase commuter options.

Corridors - Activity corridors have a dual nature. They are the connections that link activity centers and other key destinations to one another and allow people to travel throughout the city and region by bicycle, transit, or automobile. Corridors are also characterized by a variety of activities and types of buildings located along the roadway — shopping, restaurants and cafés, parks, schools, single-family houses, apartments, public buildings, houses of worship, mixed-use buildings, and offices. Along many corridors, there will be both large and small redevelopment sites. These redevelopment opportunities may be continuous along stretches of the corridor. There may also be a series of small neighborhood centers, connected by the roadway. Other corridors may have fewer redevelopment opportunities, but already have a mixture of uses, and could provide critical transportation connections. As a corridor evolves, sites that do not redevelop may transition from one use to another, such as a service station becoming a restaurant or a large retail space being divided into several storefronts. To improve mobility along an activity corridor, new and redevelopment should reduce per capita car use and increase walking, bicycling, and transit use. Intensity of land use should correspond to the availability of quality transit, public space, and walkable destinations. Site design should use building arrangement and open space to reduce walking distance to transit and destinations, achieve safety and comfort, and draw people outdoors.

BACKGROUND: The application was filed out-of-cycle on September 20, 2021. The North Loop Neighborhood Plan Contact Team submitted a letter allowing the out-of-cycle application.

The applicant proposes to change the future land use map from Commercial to Mixed Use land for a mixed-use building to include a restaurant, small retail and approximately 80 residential units.

The applicant proposes to change the zoning from CS-CO-NP (General Commercial Services district – Conditional Overlay combining district -Neighborhood Plan combining district) to CS-MU-CO-NP (General Commercial Services district- Mixed Use combining district- Conditional Overlay combining district- Neighborhood Plan combining district. For more information on the proposed zoning, please see zoning case report C14-2021-0162.

PUBLIC MEETINGS: The ordinance-required community meeting was virtually held on August 25, 2021. The recorded meeting can be found at <https://www.speakupaustin.org/npa>. Approximately 343 meeting notices were mailed to people who rent or own property within 500 feet of the subject tract, including neighborhood and environmental groups who requested notification on the Community Registry for the area. Two city staff members attended the meeting, Maureen Meredith and Mark Walters and Andrew Logan, the architect for the proposed development. Five people from the surrounding properties attended the meeting.

After staff gave a brief presentation outlining the plan amendment and rezoning request, Andrew Logan, the project architect gave the following presentation. His presentation is at the back of this report.

- The latest design concept is a five-story condominium building with the restaurant on the ground level at the corner.
- We're trying to connect the Spanish Heritage of the Amaya Village Restaurant but do it in a uniquely Austin style.
- We met with the neighborhood on June 16, 2021 and received a letter of recommendation for the project.
- There will be an L-shaped configuration on the ground floor and parking stacked on two other levels at the back of the lot.
- The building height will be 60 feet.

Q: Will the restaurant stay?

A: Yes, the Amaya Restaurant is a core part of the development and will stay.

Q: Where will people park?

A: The ground-floor parking will be for restaurant employees and customers. Residential parking will be stacked at the back of the lot in the structured parking garage.

Q: Will you ask for a variance to reduce parking or will you park to Code?

A: We are currently over-parked.

Q: Will there be other retail uses on the site other than the restaurant?

A: The owners think maybe one other retail spot would be available, so there might be some space for small retail.

Q: How many condo units are you proposing?

A: Currently, we have about 80 units, with mostly two-bedroom units, but we haven't finalized it.

Q: I'm concerned about construction and Reinli Street. Will there be restrictions on parking on Reinli?

A: During construction there will be right-of-way permits that hopefully the construction would be done in a responsible manner and not impact Reinli Street too much. I'm not aware of any street level parking restrictions on Reinli Street.

Q: Will this be a Low-Income Housing Tax Credit development?

A: That has not been mentioned to me. I think they are envisioning a cool, loft-style space that would be higher end.

Q: Will these be for sale or rental units?

A: The hope is to have them for-sale.

Applicant Summary Letter from Application13 of 24
November 17, 2021

Candelario Moreno
Moreno Development Services
514 Leland Street
Austin, Texas 78704
morenoc72@sbcglobal.net
514 Leland Street
Austin, Texas 78704
07/19/2021

City of Austin
Development Services Department
6310 Wilhelmina Delco Drive
Austin, Texas 78752

Dear City of Austin:

Re: 5804 N IH 35

My Name is Candelario Moreno with the Moreno Development Services Company. My Company is representing the owners (Roberto Amaya aka R Felix, Inc.) of the property at 5804 N IH 35. The Amaya family has been operating a food service establishment at the IH 35 location for over 15 years.

The Amaya family wish to redevelop the property into a mixed use project. If our request for rezoning is approved the owners want to construct a new multistory building that will house a restaurant, some retail and a number of condominiums as approved by the city and all of the required parking

We have made a presentation to the North Loop Neighborhood Association requesting their support and approval. At the North Loop Neighborhood Association June 2021 monthly meeting the association gave an overwhelming support of the proposed rezoning and of the new building.

We await the Planning and Zoning Commission and the Austin City Council approval.

Please accept our sincere thanks for your time and consideration of our request.

Sincerely,

Candelario Moreno
Moreno Development Services
514 Leland Street
Austin, Texas 78704

**Out-of-Cycle Letter Authorization & Letter of
Recommendation from North Loop
Neighborhood Plan Contact Team (NPCT)**

From: james.t.howard
Sent: Wednesday, June 23, 2021 6:09 PM
To: Meredith, Maureen <Maureen.Meredith@austintexas.gov>
Cc: 'Candelario Moreno'
Subject: North Loop Neighborhood Plan Contact Team Approval of Amaya's Rezoning Application

*** External Email - Exercise Caution ***

Maureen,

This is to confirm that the North Loop Neighborhood Plan Contact Team met last week and unanimously voted to approve the out-of-cycle submission of the rezoning application for the Amaya's property on I-35. I understand that Candy Moreno (copied) is handling the application on behalf of Amaya's.

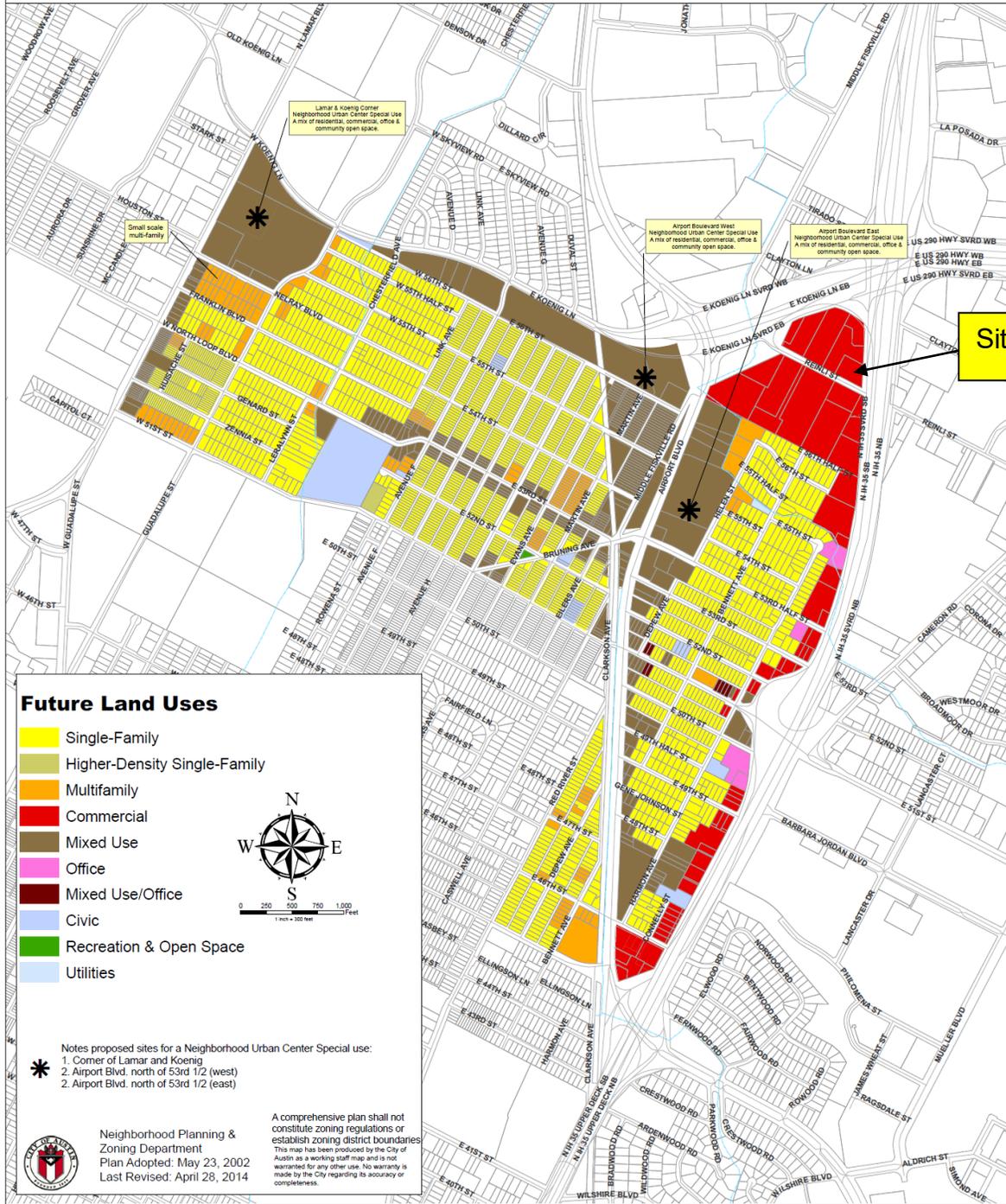
The general consensus from the Planning Team is that we are excited for and approve of the redevelopment as proposed.

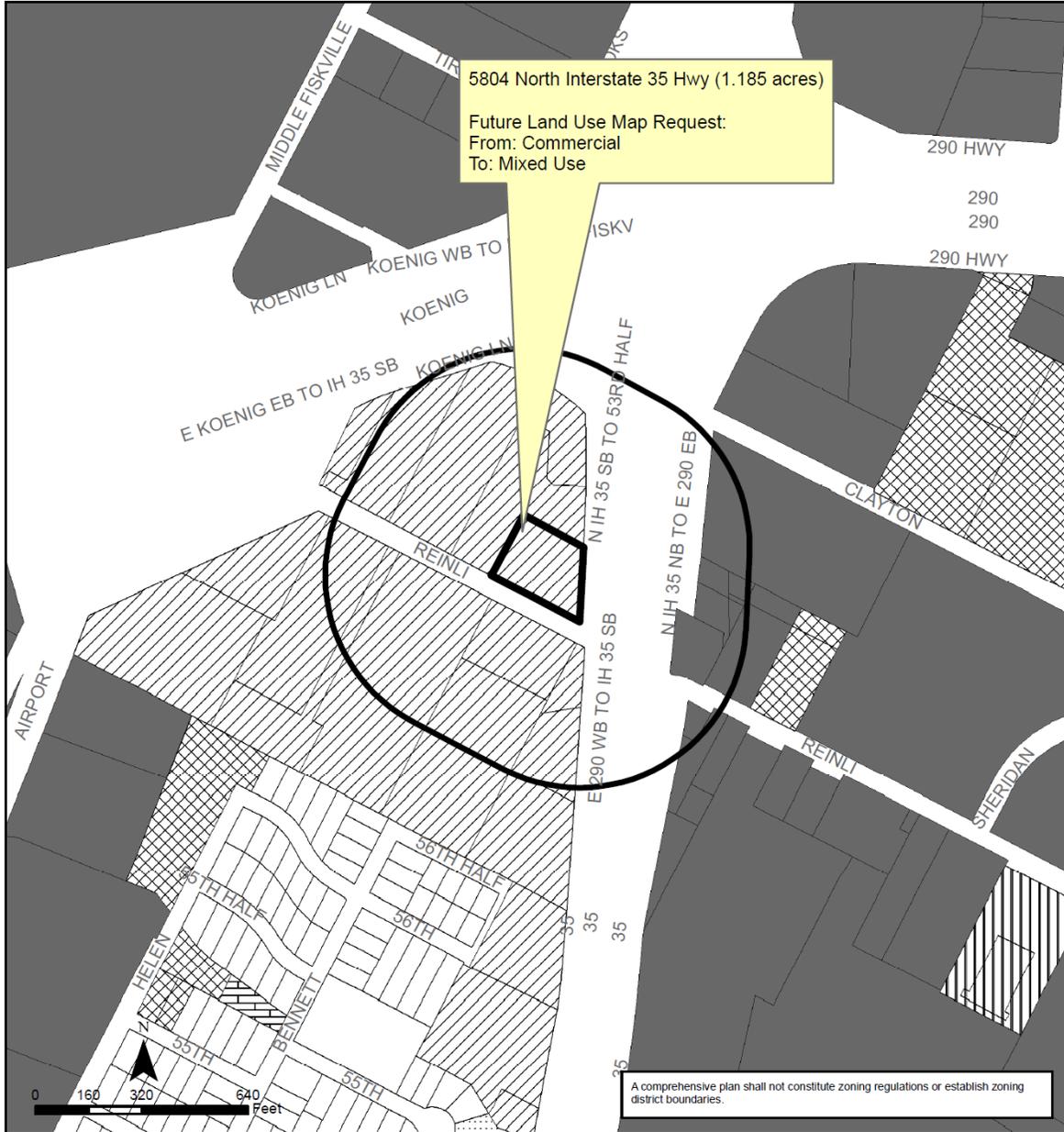
Let me know if you have any questions.

Thanks,

James Howard
North Loop Neighborhood Plan Contact Team Chair

North Loop Adopted Future Land Use Map





**North Loop Neighborhood Planning Area
 NPA-2021-0011.02**

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

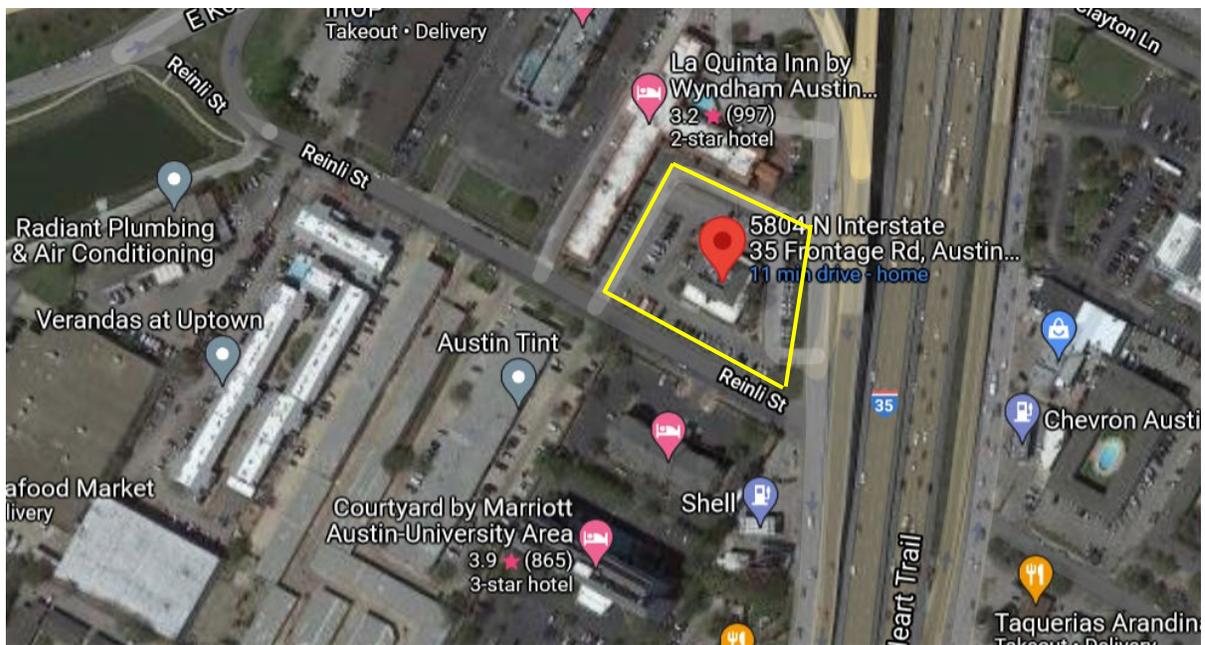
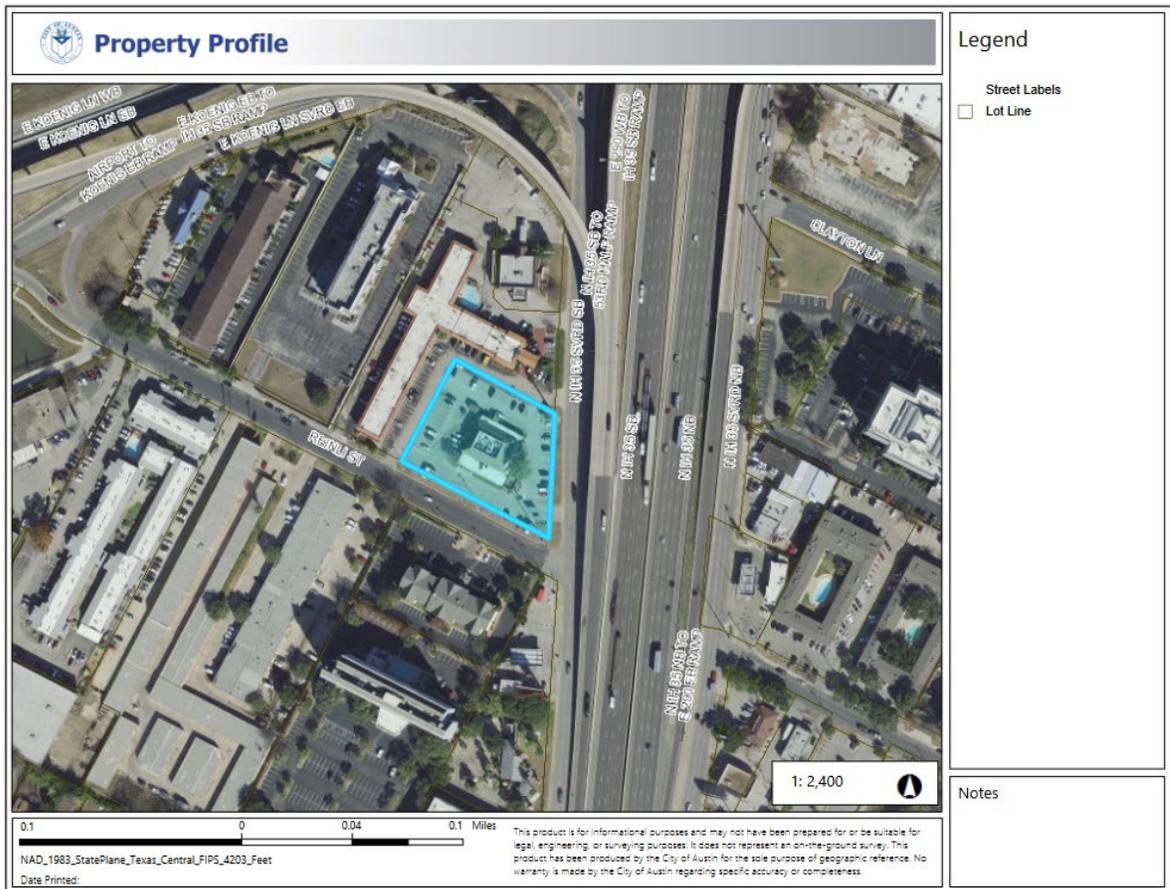
This product has been produced by the Housing and Planning Department for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



City of Austin
 Housing and Planning Department
 Created on 8/4/2021, by: MeeksS

Future Land Use

	Subject Tract		Multi-Family
	500 ft. notif. boundary		Office
	Civic		Single-Family
	Commercial		Utilities
	Mixed Use		





Presentation Applicant's Architect at Community Meeting



21.17 AMAYA MIXED USE
FEASIBILITY STUDY

5804 N. IH 35 AUSTIN
TX 78723

A00
06.08.21

LOGAN
Architecture

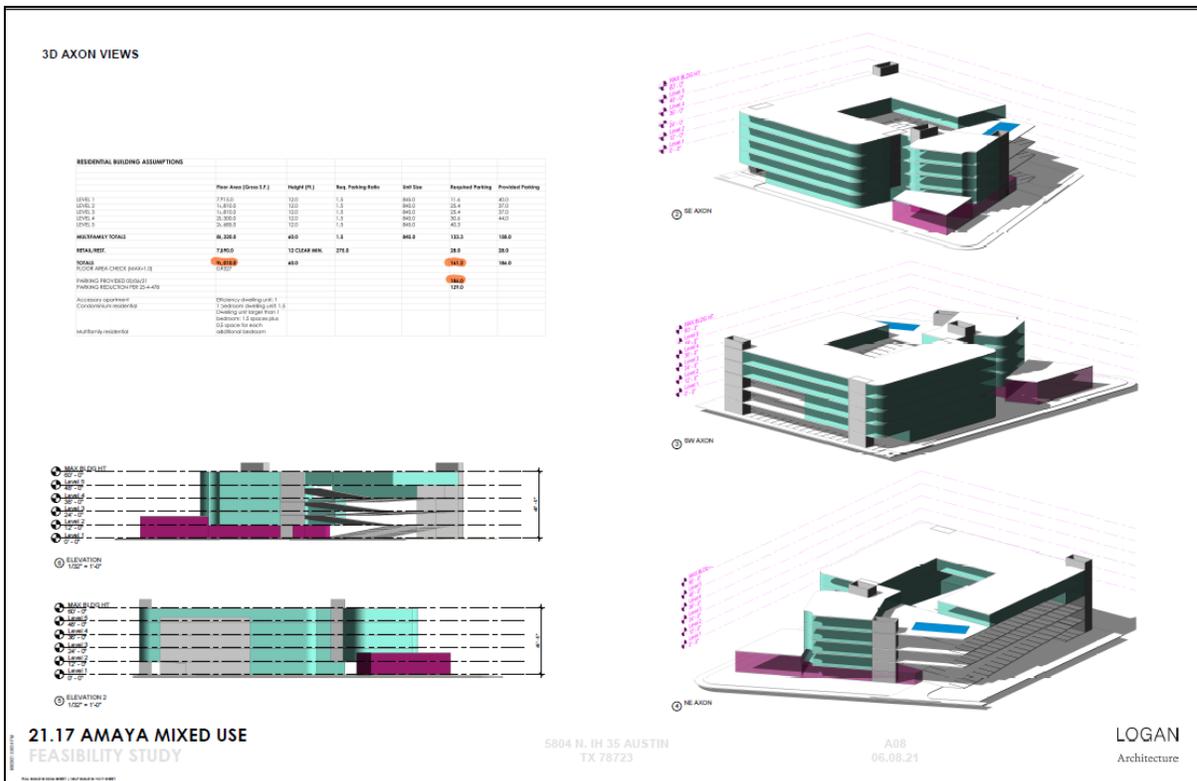
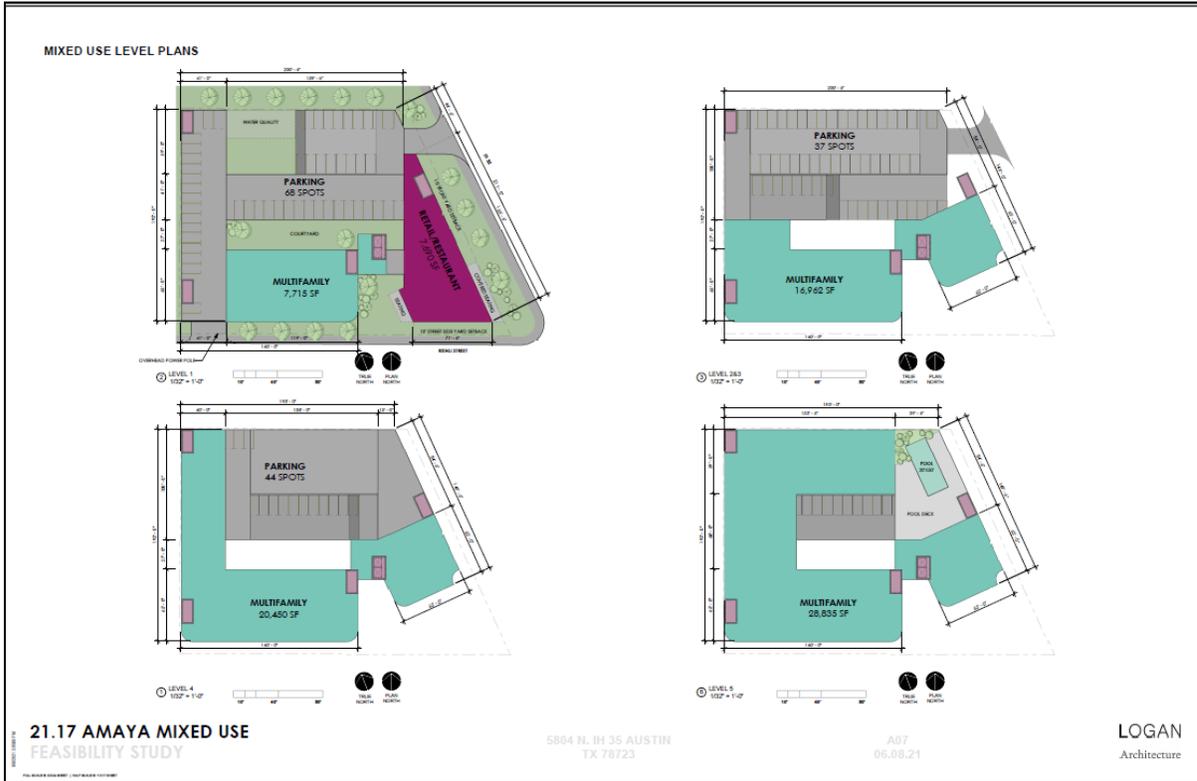


21.17 AMAYA MIXED USE
FEASIBILITY STUDY

5804 N. IH 35 AUSTIN
TX 78723

A01
06.08.21

LOGAN
Architecture



PRECEDENT IMAGERY

**21.17 AMAYA MIXED USE
FEASIBILITY STUDY**

5804 N. IH 35 AUSTIN
TX 78723

A09
06.08.21

LOGAN
Architecture

Correspondence Received